



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: STEPHAN FAZENY - 1 PCT

Serial No.: 10/550,249 GROUP:3723

Filed: SEPTEMBER 23, 2005

TITLE: METHOD AND DEVICE FOR MACHINING COMPOSITE PARTS
FORMED FROM A CARRIER DEVICE AND A STAMPING PADMail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450SUBMISSION OF INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

Sir:

Attached hereto is a copy of the International Preliminary
Report on Patentability.Respectfully submitted,
STEPHAN FAZENY

By

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enclosure

I hereby certify that this correspondence is being deposited with the United
States Postal Service as first class mail in an envelope addressed to: MAIL STOP
Amendment, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on
July 5, 2006.

Kelly Espitia

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference A2003/00479	FOR FURTHER ACTION	See item 4 below
International application No. PCT/AT2004/000061	International filing date (day/month/year) 02 March 2004 (02.03.2004)	Priority date (day/month/year) 26 March 2003 (26.03.2003)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant TROTEC PRODUKTIONS U. VERTRIEBS GMBH		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 8 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input checked="" type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

Date of issuance of this report
22 February 2006 (22.02.2006)

Authorized officer

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PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

Translation

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference A2003/00479		Date of mailing (day/month/year)	
		FOR FURTHER ACTION See paragraph 2 below	
International application No. PCT/AT2004/000061	International filing date (day/month/year) 02.03.2004	Priority date (day/month/year) 26.03.2003	
International Patent Classification (IPC) or both national classification and IPC			
Applicant TROTEC PRODUKTIONS U. VERTRIEBS GMBH			

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input checked="" type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/AT2004/000061

Box No. I

Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐

This opinion has been established on the basis of a translation from the original language into the following language

_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐

a sequence listing

☐

table(s) related to the sequence listing

b. format of material

☐

in written format

☐

in computer readable form

c. time of filing/furnishing

☐

contained in the international application as filed.

☐

filed together with the international application in computer readable form.

☐

furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/AT2004/000061

Box No. II

Priority

1. ☒ The following document has not yet been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date in the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/AT2004/000061

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-44	YES
	Claims		NO
Inventive step (IS)	Claims	1-44	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-44	YES
	Claims		NO

2. Citations and explanations:

1. Reference is made to the following documents:

D1: US-B1-6 423 931 (FAZENY STEPHAN ET AL) 23 July 2002
(2002-07-23)

D2: US-A-3 009 440 (KENT HANS F) 21 November 1961 (1961-
11-21)

2. The document D1 is regarded as the closest prior art in comparison with the subject matter of claim 1. It discloses (the references in parentheses relate to this document):

a method (column 2, lines 35-38) for machining rubber for stamps (column 1, lines 55-56) by means of a machining device (10, 14), in which a machining head (12) of a material removal device (10) is moved by means of a handling device (16, 18, 20, 22) controlled and/or regulated by a control device (28, 40) in relation to each other, in particular in an XY plane (column 3, lines 54-55), and a removal of material is performed on the stamp by the material removal device (10).

The method according to claim 1 therefore differs from the known method in that it is a method for machining

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/AT2004/000061

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

composite parts which are formed at least from a carrier device and a stamping pad and that the material removal device is used to divide the stamping pad of the composite part, which is at least partially connected to the carrier device, into several stamping pad parts which are distanced from each other by means of a separating joint.

The subject matter of claim 1 is consequently novel (PCT Article 33(2)).

2.1. The problem addressed by the present invention can therefore be considered that of achieving easy and flexible production at least of composite parts, comprising a stamping pad and a carrier device.

The solution to this problem proposed in claim 1 of the present application is based on an inventive step (PCT Article 33(3)) for the following reasons:

Document D2 discloses that a multicoloured stamping pad is divided by a channel/cutting line on the surface of the pad in order to avoid mixing of the inks. Use of the machine from D1 for a method for producing the product from D2 is not mentioned.

In neither of the documents D1 and D2 is there any suggestion of combining the teaching of the two documents.

Claims 2-25 are dependent on claim 1 and consequently likewise meet the requirements of the PCT with respect to novelty and inventive step.

3. The document D1 is regarded as the closest prior art in comparison with the subject matter of claim 26. It discloses (the references in parentheses relate to this document):

a machining device (10, 14), at least comprising a material removal device (10) and a handling device, at least one machining head (12) of the material removal device being adjustable, in particular movable, by means of the handling device at least in an XY plane (column 3, lines 54-55), and the handling device being connected and/or connectable to a control device (28, 40) for controlling and/or regulating the same.

The subject matter of claim 26 therefore differs from the known machining device in that the machining device has an ink dispensing device for dispensing stamping ink, in particular colouring fluids, as and when required.

The subject matter of claim 26 is consequently novel (PCT Article 33(2)).

3.1. The problem that the present invention according to claim 26 is intended to solve can thus be considered to be that of using an ink dispensing device to allow stamping ink, in particular colouring fluids, to be applied to different pad parts which can be produced by the material removal device and the handling device (16, 18, 20, 22).

The solution to this problem that is proposed in claim 26 of the present application is based on an inventive step (PCT Article 33(3)) for the following reasons:

With regard to document D1, there is no suggestion to a

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/AT2004/000061

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

person skilled in the art that the machine tool of D1 can be used for stamping cushion removal and that the machining device has an ink dispensing device.

Claims 27-44 are dependent on claim 1 and consequently likewise meet the requirements of the PCT with respect to novelty and inventive step.

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